

MINUTES OF THE TOWN OF WAYNE  
PLANNING BOARD  
April 3, 2017

Mr. Witkowski called the public hearing for James Coles, Subdivision Application SA71-17, to order at 6:30PM.

Mr. Coles stated the subdivision would create 2 legal size lots.

After looking at the subdivision survey map, Mr. Carpenter had no objection for the proposed subdivision.

Ms. Kurtz stated out of the 15 letters were sent out and 1 email was received back.

Ms. Kerrick stated she had a phone call from Chris Micheli stating they had no objection about the subdivision and were concerned if the brewery that was also advertised in the same legal ad was related to their property.

Ms. Kurtz stated both the subdivision and special permit were advertised on the same legal notice and it could be confusing.

Mr. Witkowski read the email from the Lebrun's into the record then closed the public hearing for Subdivision Application SA71-17 and opened the public hearing for Switzerland Inn LLC/Richard Morrison, Special Use Permit No. 02SP17.

Mr. Morrison was present to state the following:

- He would be maintaining the existing 7 bedroom motel.
- He has hired ADC Liquor out of Buffalo to help the process of obtaining his liquor licenses from both State and Federal.
- In order to go on further in the process, he needed to purchase the property and have proof of approval by the Town before operating a farm brewery.
- He wanted to take the existing ice cream parlor and make it into a farm brewery.
- It would be all-inclusive for a tasting room and sell other locally grown items.
- He would be brewing on the site.
- Both the well and septic has been tested, inspected and approved by Colby Peterson from KWIC and James Howell from Schuyler County.
- He has been making beer for 15 years.

Both Mr. and Mrs. Martin were present and stated the following:

- Their main concern over potential excess noise from the level of music and if necessary; how it could be resolved.
- The need to have enough parking spaces for employees, motel patrons and visitors for the brewery room and where the extra parking would be located.
- Potential extra traffic could be an issue.
- If the applicant would be expanding.
- They were not in opposition; but wanted to ensure the new business will be good neighbors and be conscious that they are operating very close to a residential area.
- Can the Planning Board put conditions within the permit stipulations on controlling any excess noise?

Mr. Witkowski stated the Town does not have a noise ordinance and there is no way of enforcing one.

Mr. Serdula stated the NYS liquor authority does have a noise ordinance and complaints could be enforced by either the State Troopers or Sheriff's department.

Mr. Morrison stated the following:

- Currently he was looking at being open for 12 hours and not being open any later than 10PM; with fluctuating hours during the off season.
- If needed, extra parking could be accomplished by cutting back the bank as Ravines has done.
- Any limo's or shuttle's would require reservations.
- More than willing to work with the neighbors on noise.

Ms. Kurtz stated 19 letters were sent to the neighboring property owners and 1 phone call was received from Mr. Blessing stating he had no objections.

Mr. Witkowski closed the public hearing at 7:00PM.

The April 3, 2017 Planning Board meeting started with a roll call of the members.

	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE ARRIVAL</u>
<u>MEMBERS PRESENT:</u> Stan Witkowski, Chair	<u>X</u>	_____	_____
Nancy Gabel	<u>X</u>	_____	_____
Chris Mooney	<u>X</u>	_____	_____
Jon Serdula	<u>X</u>	_____	_____
Donna Sue Kerrick	<u>X</u>	_____	_____
Dennis Carlson, liaison	<u>X</u>	_____	_____
Gill Harrop, CEO	<u>X</u>	_____	_____

<u>ALSO PRESENT:</u> Jay Palermo	Mr. and Mrs. Martin
Candy Dietrich	Lauren Panzarino
Dave Bauer	Richard Morrison
Robert Carpenter	Art Kirk
Barb Root	Pam Patterson
Larry Malhoggon	Rose Hancock
Dawn Cole	Jim Cole
Elise Johnson-Schmidt	Jen Rouin
Mr. and Mrs. Barrett	Gerald Kernahan
Brian Mattiaccio	Tony Mattiaccio
Lucy Tongue	

**MINUTES:**

Ms. Kerrick made a motion to approve the March 6, 2017 minutes as presented, seconded by Mr. Mooney.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Stan Witkowski	<u>X</u>	___	___	___
Nancy Gabel	<u>X</u>	___	___	___
Donna Sue Kerrick	<u>X</u>	___	___	___
Chris Mooney	<u>X</u>	___	___	___
Jon Serdula	___	___	<u>X</u>	___

Ayes-4. Nays-0. Abstain-1. Absent-0.

**NEW BUSINESS:**

**SUBDIVISION APPLICATION SA71-17:** James and Dawn Coles. Property located at corner of W. Waneta Lake Rd. and Shorewood Dr., Town of Wayne. Request to subdivide into 2 legal size lots.

Mr. Witkowski stated the following:

- All the necessary elements were satisfied in March but the application needed to go through the public hearing process.
- No SEQR was needed since this was a Type II action.

Upon discussion, Ms. Gabel made a motion to approve Subdivision Application SA71-17, seconded by Ms. Kerrick.

A roll call vote was taken to approve Subdivision Application SA71-17. Ayes-5. Nays-0.

**SPECIAL USE PERMIT NO. 02SP17:** Switzerland Inn LLC/Richard Morrison. Property located at 10014 Day Rd., Town of Wayne. Request to replace existing business sign with new on the same footprint.

Mr. Mooney made a motion to accept Special Use Permit No. 02SP17 as per submitted plan, seconded by Ms. Gabel.

Ms. Kerrick stated it was great that something would be done with an existing building and encouraged Mr. Morrison to maximize using the other driveway off of Hyatt Hill Rd. to ease ingress and egress issues.

Upon discussion, Mr. Witkowski stated the following:

- It was determined that this was a Type II action and no SEQR would be needed.
- He went onto the NYS Brewers Association and saw that the applicant did their homework and completed the necessary checklist.
- Since it was an AG use, any permits would need to go through Public Health.
- The applicant should contact Highway Superintendent Bauer before doing any work regarding potential sluice pipes and drives.

Mr. Harrop stated the he had no issues with the application.

The Board thanked Mr. Morrison for doing his homework.

Ms. Gabel made a motion to approve Special Use Permit No. 02SP17 as submitted, seconded by Mr. Serdula.

A roll call vote was taken to approve Special Permit No. 02SP17. Ayes-5. Nays-0.

Mr. Morrison signed the responsibilities agreement sheet. (on file)

**SITE PLAN APPLICATION FOR Lori Baxter:** Property located at 9587 Garret View Dr., Town of Wayne. Request to add onto existing garage.

Ms. Kerrick made a motion to accept the site plan application as submitted, seconded by Mr. Serdula.

Mr. Kernahan was present.

Mr. Harrop stated he had no issue with this application.

Upon discussion, the following items were noted:

- The application was approved for variance on March 9, 2017 by the Zoning Board of Appeals.
- No SEQR was needed, as it was a Type II action.
- No new driveway was needed.
- It would not contain kitchen facilities.

Upon further discussion, a roll call vote was taken to accept the site plan application as submitted.

Ayes-5 Nays-0.

**SITE PLAN APPLICATION FOR Crooked Lake Court/Lucy Tongue:** Property located at 9989 Sunfish Dr., Town of Wayne.

Mr. Serdula made a motion to accept the site plan, seconded by Ms. Kerrick.

Mr. Harrop stated the following the application went through the Zoning Board of Appeals process at the March 9<sup>th</sup> meeting and was approved for location and size.

Mr. Witkowski stated his concern about possible sewage leaking into Keuka Lake. After reading the narrative Ms. Tongue provided to the Zoning Board of Appeals, stating that the sewer line was broken and there was standing water under her trailer, as one of the reasons she needed to replace her unit.

Mr. Witkowski also inquired who was responsible for what concerning such issues.

Mr. Barrett, representative for Crooked Lake Court, stated that the following:

- Association was responsible from the ground down and the owner from the ground up.
- The Association inspects and maintains sewer by the use of camera's.
- Some trailers, such as this one, is over 70 years old and didn't sit on any foundation/pad.

Mr. Harrop stated this was a remedy to an existing situation.

Mr. Witkowski stated this was a Type II action and no SEQR was needed.

A roll call vote was taken. Ayes-5. Nays-0.

**SITE APPLICATION FOR Tony Mattiaccio:** Property located at 12436 East Lake Rd., Town of Wayne. Request to construct cottage.

Mr. Harrop stated he had no issue with this application.

Mr. Palermo was present to represent Mr. Mattiaccio and stated the following:

- They now have a new tax parcel id number.
- They will be removing the concrete pad, existing cabin and garage.
- They will not be changing the swale.
- Any lighting would be down facing.

Ms. Kerrick inquired about the additional parking.

Mr. Palermo stated the upper cottage would have the existing parking that is currently there and new parking where the existing garage is.

Mr. Witkowski stated it was a Type II action and no SEQR would be needed.

A roll call vote was taken. Ayes-5. Nays-0.

**UNFINISHED BUSINESS:**

Mr. Witkowski gave a brief update on the Verizon cell tower, stating the following:

- Will not be located on 9658 Day Rd. as first applied for.
- They are in currently in discussion to lease and locate the proposed tower on Town property.
- Due background documentation work that was done by Cornell, Sustainable Keuka Lake, LULA, Cornell that identified view sheds, helped in its relocation.
- Verizon is now looking into constructing a lower tower and incorporating repeaters.

Ms. Dietrich thanked all the persons involved for their hardwork in recognizing the view shed areas.

Ms. Panzarino stated she was happy to know that the tower was being relocated and inquired if placement could be where it would not be a view shed issue.

**COMMUNITICATIONS:**

Elise Johnson-Schmidt to state her firm was contacted for the following:

- Demo and replace an existing cottage located at 9389 Crystal Beach Rd.
- The proposed cottage would be lower than the two cottages located on each side of the property.

- There would be no basement.
- All outside lighting will be down facing.

The Board thanked her for coming in.

Mr. Witkowski stated that an ad was put in The Shopper for the April 18<sup>th</sup> Planning Board meeting, stating that is was seeking individuals to help establish regulations for commercial solar farms.

As there was no further business, Ms. Gabel made a motion to adjourn the meeting at 7:50PM, seconded by Ms. Kerrick. Ayes-4. Nays-0. Absent-1.

Respectfully, Maureen Kurtz